



**Duchesne County Planning, Zoning  
& Community Development**  
734 North Center Street  
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Duchesne, Utah 84021  
(435) 738-1152  
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**RECEIVED****OCT 06 2009**

DIV. OF OIL, GAS &amp; MINING

October 5, 2009

Mr. Kay Robinson  
KW Robinson Construction, Inc.  
PO Box 985  
American Fork, UT 84003-0985

Dear Mr. Robinson:

At the October 5, 2009 meeting of the Duchesne County Commissioners, a public hearing was held to consider your appeal of the Planning Commission's decision to deny your conditional use permit request to extract earth products (gravel pit and rock crusher) on a portion of a 40-acre parcel located at 6206 South Highway 87 on the Blue Bench north of Duchesne.

After testimony and discussion, the County Commissioners unanimously adopted findings to approve the request, subject to the following conditions:

1. Applicant shall control dust and noise so neither becomes a nuisance.
  - a. A dust control plan, approved by the TriCounty Health Department, shall be provided to the county and implemented throughout the course of the operations.
  - b. Applicant shall comply with the construction activity noise time limits of the Nuisance Ordinance.
2. Applicant shall maintain a reclamation bond in effect during the course of the mining operations. The bond shall name the County as a beneficiary to the level of at least \$5,000.00 for the first acre and \$3,000.00 per additional acre to be disturbed at any one time.
3. Applicant agrees to reclaim the site at the conclusion of mining operations in a manner acceptable to Duchesne County pursuant to the "Material Pit Finishing" standards.
4. Applicant shall provide the county with a copy of the DEQ air quality permit for the crusher prior to operations at this site. The requirements of the DEQ air quality permit shall also be requirements of the Conditional Use permit.
5. Extraction of earth products and rock crushing shall be limited to five acres (450 feet north-south and 480 feet east-west) in the northwest corner of the property.
6. The use is permitted for personal, non-commercial purposes only.
7. The applicants have up to 180 days to activate the permit and no later than October 5, 2010 to finish. Once crushing starts, the applicants have ninety (90) days to complete crushing.

KW Robinson Construction  
Conditional Use Permit  
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This decision may be appealed to District Court within thirty (30) days of the date of this letter.

If you have any questions regarding this letter, please contact this office.

Sincerely,



Mike Hyde, AICP  
Community Development Administrator

pc: Fess Scott, Region 3 UDOT, 658 N 1500 West, Orem, UT 84057  
Gary Mullins, PO Box 591, Duchesne, UT 84021-0591  
Clark Jensen, PO Box 898, Duchesne, UT 84021-0898  
Eugene Banks, PO Box 597, Duchesne, UT 84021-0597  
David Lupold, PO Box 652, Duchesne, UT 84021-0652  
Manuel & Shelby Cardona, PO Box 1186, Duchesne, UT 84021-1186  
Randy Harrison, PO Box 366, Duchesne, UT 84021-0366  
Tim Engle, PO Box 281, Duchesne, UT 84021-0281  
Bob Newland, HC 65, Box 248, Duchesne, UT 84021  
Zack Garner, PO Box 892, Duchesne, UT 84021-0892  
Ken Wallace, 5481 W Nautilus Drive, Salt Lake City, UT 84118  
Carolyne Madsen, PO Box 376, Duchesne, UT 84021-0376  
Darrin Brown, TriCounty Health Department, 133 S 500 East, Vernal, UT 84078  
Maverick Peterson, PO Box 643, Duchesne, UT 84021-0643  
Scott Hacking, District Engineer, Utah DEQ, 281 E 200 North, Roosevelt, UT 84066  
Leslie Heppler, Div. Of Oil, Gas & Mining, P.O. Box 145801, Salt Lake City, UT 84114